## UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

STEPHEN COOK, :

Individually and on Behalf of : Case No. 1:19-cv-195

All Others Similarly Situated

.

Plaintiffs,

:

v. :

THE OHIO NATIONAL

LIFE INSURANCE COMPANY, : OHIO NATIONAL LIFE : :

ASSURANCE CORPORATION, :
OHIO NATIONAL EQUITIES, INC. :

and OHIO NATIONAL FINANCIAL

SERVICES, INC.,

:

Defendants.

# **PLAINTIFF'S NOTICE OF APPEAL**

Notice is hereby given that Plaintiff Stephen Cook, individually and on behalf of all others similarly situated, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the District Court's Order Rejecting Report and Recommendations and Granting Defendants' Motion to Dismiss (Doc. 37) entered in this action on October 3, 2019, which resulted in a final judgment and termination of the case on the same date (Doc. 38).

Respectfully submitted,

#### HELMER MARTINS RICE & POPHAM CO., L.P.A.

By: s/ James B. Helmer, Jr.
James B. Helmer, Jr. (0002878)
Robert M. Rice (0061803)
Jennifer L. Lambert (0075762)
B. Nathaniel Garrett (0090939)
600 Vine Street, Suite 2704
Cincinnati, Ohio 45202
Phone: (513) 421-2400
Fax: (513) 421-7902
jhelmer@fcalawfirm.com
rrice@fcalawfirm.com
jlambert@fcalawfirm.com
ngarrett@fcalawfirm.com

#### SARRAF GENTILE LLP

Ronen Sarraf (pro hac vice)
Joseph Gentile (pro hac vice)
10 Bond Street, Suite 212
Great Neck, New York 11021
Phone: (516) 699-8890
Fax: (516) 699-8968
ronen@sarrafgentile.com
joseph@sarrafgentile.com

Attorneys for Plaintiff

### CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing on all counsel of record via the Court's CM/ECF system on October 10, 2019.

/s/ James B. Helmer, Jr.
James B. Helmer, Jr.